Express Mail No.: EV 822350345 US

Date Mailed: June 28, 2006

In re application of:

Ruediger Ridder, et al.

Appl. 10/533,384

Filed: April 28, 2005

Art Unit:

Examiner:

Attorney Docket: 05033.0010.PCUS00

Confirmation No.: 7072

Information Disclosure Statement

Mail Stop Amendments Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith. It is further understood that the Examiner will consider information that had been cited by or submitted

Attorney Docket: 05033.0010.PCUS00 10/533,384

to the U.S. Patent and Trademark Office in a prior application relied on under 35 U.S.C. § 120. 1138 OG 37, 38 (May 19, 1992).

Applicants have checked the appropriate boxes below.

- 1. This Information Disclosure Statement is being filed;
 - □ a. Within three months of the U.S. filing date of a national application other than a continued prosecution application under §1.53(d);
 - □ b. Within three months of the date of entry of the national stage as set forth in §1.491 in an international application;
 - c. Before the mailing date of a first Office Action on the merits;
 - □ d. Before the mailing of a first Office Action after filing of a request for continued examination under § 1.115.

No statement under 37 C.F.R. § 1.97(e) or fee is required.

- □ 2. This Information Disclosure Statement is being filed after the period specified in paragraph 1(a)-1(d) above, but before the mailing date of a Final Rejection or Notice of Allowance, or action that otherwise closes prosecution in the application, and
 - □ a. I hereby state that each item of information contained in this Information Disclosure

 Statement was first cited in any communication from a foreign patent office
 in a counterpart foreign application not more than three months prior to the
 filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1), or
 - □ b. I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to my knowledge after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2), or
 - □ c. The U.S. Patent and Trademark Office is hereby authorized to charge our Deposit Account No. 08-3038 referencing docket number 05033.0010.PCUS00 under 37 C.F.R. § 1.17(p).

Attorney Docket: 05033.0010.PCUS00 10/533,384

□ 3.	This Information Disclosure Statement is being filed more than three months after the U.S.
	filing date and after the mailing date of a Final Rejection or Notice of Allowance, but
	on or before payment of the Issue Fee. Attached is our Check No in the
	amount of \$ in payment of the fee under 37 C.F.R. § 1.17(i), and
	□ a. I hereby state that each item of information contained in this Information Disclosure
	Statement was first cited in any communication from a foreign patent office
	in a counterpart foreign application not more than three months prior to the
	filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1), or
	□ b. I hereby state that no item of information in this Information Disclosure Statement
	was cited in a communication from a foreign patent office in a counterpart
	foreign application, and, to my knowledge after making reasonable inquiry,
	no item of information contained in this Information Disclosure Statement
	was known to any individual designated in 37 C.F.R. § 1.56(c) more than
	three months prior to the filing of this Information Disclosure Statement. 37
	C.F.R. § 1.97(e)(2).
4 .	Relevance of the non-English language document(s) is discussed in the present specification.
□ 5.	The document(s) was/were cited in a corresponding foreign application. An English
	language version of the foreign search report is attached for the Examiner's
	information.
□ 6.	A concise explanation of the relevance of the non-English language document(s) appears
	below:
□ 7.	The Examiner's attention is directed to co-pending U.S. Patent Application No,
	filed, which is directed to related technical subject matter. The
	identification of this U.S. Patent Application is not to be construed as a waiver of
	secrecy as to that application now or upon issuance of the present application as a
	patent. The Examiner is respectfully requested to consider the cited application and
	the art cited therein during examination.

Attorney Docket: 05033.0010.PCUS00 10/533,384

□ 8.	Copies of the documents we	re cited by or	submitted	to the	Office	in Applicati	on No.
	, filed	, which	is relied upo	on for a	n earlier	filing date u	nder 35
	U.S.C. § 120. Thus, co	pies of these do	ocuments ar	e not at	tached. 3	37 C.F.R. § 1	.98(d).

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and to indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 08-3038 referencing docket number 05033.0010.PCUS00.

Respectfully submitted,

June 28, 2006

Viola T. Kung (Reg. No. 41,131) Elisabeth Evertsz (Reg. No. 50,304)

HOWREY LLP

2941 Fairview Park Drive Box 7 Falls Church, VA 22042 Ph. (650) 798-3600 Fax (650) 798-3570

LIST OF REFERENCES CITED BY APPLICANT

(Use several sheets if necessary)

PTO FORM 1449

ATTY, DOCKET NO.	APPLICATION NO.						
05033.0010.PCUS00	10/533,384						
APPLICANT							
RIDDER, R. et al.							
TUBBER, TE OLO.							
FILING DATE	GROUP						
April 28, 2005	nva						

				U.S. PATE	NT DOCUMENTS					-	
EXAMINER		DOCUMENT NUMBER	DATE		NAME\	CLASS	SI	UBCLASS	FILING DATE		
	1.	US 2003/0157482	08	-2003	Keesee et al.						
	2.	US 4,281,061	07	-1981	Zuk et al.						
	3.	US 6,033,847	03	-2000	Sherr et al.		_				
	4.	US 6,316,208	11	-2001	Roberts et al.						
	,		F	OREIGN PAT	TENT DOCUMENTS			,			
*EXAMINER		DOCUMENT NUMBER		DATE	COUNTRY		CLASS SI	SUBCLASS	TRANSL YES		
	5.								1		
		1		Author, Title,	REFERENCES Date, Pertinent Pages,						
	6.	He, et al., "Expression, Deletion And Mutation of p16 Gene in Human Gastric Cancer" World J. of Gastroenterology 7(4): 515-521 (2001)									
	7.	Myung, et al., "Loss Of p16 And p27 Is Associated With Progression Of Human Gastric Cancer" Cancer Letters 153:129-136 (2000)									
	8.	Nakao et al., "Induction of p16 During Immortalization HPV 16 and 18 and Not During Malignant Transformation" British J of Cancer 75(10):1410-1416, 1997									
	9.	O'Nions, et al., "p73 Is Over-Expressed In Vulval Cancer Principally As The Δ2 Isoform" British J. Cancer 85(10):1551-1556 (Nov 2001)									
	10. Sano, et al., "Overexpression Of P16 And P14ARF Is Associated With Human Papillomavirus Infection In Cervical Squamous Cell Carcinoma And Dysplasia" Pathology Int. 52:375-383 (May 2002)								ау		
	11.	Sano et al., "Expression Status of p16 Protein Is Associated With Human Papillomavirus Oncogenic Potential In Cervical and Genital Iesions" American J. Pathology 153(6):1741,1998									
	12.	Sherr, "The Ink4a/Arf Network In Tumor Suppression" Nature Reviews Mol. Cell Bio 2:731-737, (2001)									
	13.	Takeuchi, et al., "Altered p16/MTSi/CDKN2 and Cycling D1/PRAD-1 Gene Expression Is Associated With The Prognosis of Squamous Cell Carcinoma of the Esophagus" Clinical Cancer Research 3:2229-2236, (1997)									
	14.	Tsujie, et al., "Expression of Tumor Suppressor Gene p16INK4 Products in Primary Gastric Cancer" Oncology 58:126-136 (2000)									

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.